

**6441. Adulteration and misbranding of dairy feed. U. S. * * * v. 40
Sacks of Wade's 24 Per Cent Protein Dairy Feed. Default decree.
of condemnation, forfeiture, and sale. (F. & D. No. 389-c.)**

On June 24, 1918, the United States attorney for the Western District of North Carolina, acting upon a report by the State food inspector of the State of North Carolina, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 40 sacks, each sack containing 100 pounds of Wade's 24 per cent protein dairy food, remaining unsold in the original unbroken packages at Hickory, N. C., alleging that the article had been shipped on or about April 15, 1918, by John Wade & Sons, Memphis, Tenn., and transported from the State of Tennessee into the State of North Carolina, charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that it contained fibrous substances and indigestible matter treated in such manner as to conceal inferiority.

It was alleged in substance that the article was misbranded by being labeled on the tags, "Protein 24.0, Fat 14.0, Fiber (not over) 5.0, Carbohydrates 50.0," the said sacks containing a much less quantity of protein and a larger quantity of fiber than as stated on the label; and for the further reason that they contained large quantities of indigestible fibrous matter and other indigestible substances, and whereas, in fact, they were not so labeled but as Wade's 24 per cent protein dairy feed, and whereas, in fact, there was a much smaller quantity of protein than 24 per cent therein.

On January 9, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be sold by the United States marshal.